

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: JOSEPH DWIGHT NIXON  
AND DAWANA DENICE NIXON,  
DEBTOR(S)

CHAPTER 13 BANKRUPTCY  
CASE NO. 22-51481-KMS

DAVID RAWLINGS, TRUSTEE

**TRUSTEE'S RESPONSE TO  
MOTION TO MODIFY PLAN**

COMES NOW, the Chapter 13 Trustee, David Rawlings, by and through his attorney, and files this Response to the Debtor's Amended Motion to Modify Plan (Docket No. 87/88), and says that the Confirmed Plan provides for the payment of the amount owed on Southeast Auto Financial's claim, which is secured by a 2017 Nissan Altima (a 910 vehicle); a Claim in the amount of \$11,871.44 was filed; the Trustee has received the insurance proceeds (\$3,565.35) on the subject vehicle from Liberty Mutual Insurance Company; creditor should release the vehicle's title to said insurance company upon payment of the Secured Claim, as set out herein; there is currently a balance due on said Secured Claim in the amount of \$3,062.50 (plus 7% interest) remaining to be paid by the Trustee; the insurance proceeds are sufficient to pay the balance of this Secured Claim in full; the Trustee seeks Court approval to pay the unpaid balance of this Secured Claim from the insurance proceeds, plus interest, all in accord with regular Plan receipts, and Local Rule 3015-

1(h)(1)<sup>1</sup> requires an Amended Schedule I and J before the Plan payment can be lowered.

Respectfully submitted,

DAVID RAWLINGS, TRUSTEE

BY: /s/Samuel J. Duncan  
Samuel J. Duncan,  
His Attorney

Samuel J. Duncan  
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**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have on this day forwarded a true and correct copy of the foregoing Response, via the Court's ecf filing system, to: the US Trustee, 501 East Court Street, Suite 6-430, Jackson, Mississippi 39201; and TC Rollins, Jr.

So certified on this the 30<sup>th</sup> day of July, 2025.

/s/Samuel J. Duncan  
Samuel J. Duncan

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<sup>1</sup> **(h) Modification of plan after confirmation.**

**(1) Requirement for amended Schedules I and J.**

If a debtor in a chapter 12 or a chapter 13 case files a request to modify a confirmed plan pursuant to sections 1229 or 1329 based in whole or in part upon a change in the amount of the debtor's income or expenses, the debtor shall file amended Schedules I and J evidencing such change in financial circumstances contemporaneously with the Notice of Modification.